

COMISSÃO DA CEDEAO

ECOWAS COMMISSION



COMMISSION DE LA CEDEAO

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**SEVENTY-SEVENTH ORDINARY SESSION OF THE ECOWAS COUNCIL OF
MINISTERS**

Abuja, 15TH -16TH DECEMBER 2016

FINAL REPORT

ECOWAS Commission
Abuja, December 2016

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I. INTRODUCTION

1. The Seventy-Seventh Ordinary Session of the ECOWAS Council of Ministers was held at the ECOWAS Commission, Abuja, Federal Republic of Nigeria, from 15th to 16th December 2016.

2. The following Member States were represented:

- Republic of Benin;
- Burkina Faso;
- Republic of Cabo Verde;
- Republic of Cote d'Ivoire;
- Republic of The Gambia;
- Republic of Ghana;
- Republic of Guinea ;
- Republic of Guinea Bissau;
- Republic of Liberia;
- Republic of Mali;
- Republic of Niger;
- Federal Republic of Nigeria;
- Republic of Senegal;
- Republic of Sierra Leone; and
- Togolese Republic.

3. The following ECOWAS Institutions and Specialised Agencies were also represented:

- ECOWAS Commission;
- ECOWAS Parliament;
- Community Court of Justice;
- ECOWAS Bank for Investment and Development (EBID);
- West African Health Organisation (WAHO);
- Inter-Governmental Action Group against Money Laundering in West Africa (GIABA);
- Office of the Financial Controller;
- ECOWAS Regional Electricity Regulatory Agency (ERERA)
- ECOWAS Centre for Renewable Energy and Efficiency (ECREE).
- West African Monetary Agency (WAMA)
- West African Monetary Institute (WAMI); and
- West African Power Pool (WAPP)

4 A list of participants is attached as an annex to this report.

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II. OPENING SESSION (Speeches – President of the ECOWAS Commission & Chair of Council)

5. In his opening address, the President of the Commission, H.E Mr. Marcel A. de Souza, after thanking participants for their presence at the 77th Ordinary Session of the Council of Ministers, expressed his gratitude to the President of the Federal Republic of Nigeria, H.E. Muhammadu Buhari and his government for the facilities provided for the smooth organisation of the statutory meetings. He also thanked the President of the Republic of Liberia and current Chairperson of the ECOWAS Authority of Heads of State and Government, H.E Mrs. Ellen Johnson Sirleaf, for her leadership, wise counsel, and the working visit to ECOWAS Institutions in Abuja on 4th and 5th December 2016.

6. Following the introduction on the rationalisation of operational costs of Institutions, completion of institutional reforms and actualisation of Vision 2020 of an ECOWAS of People, H. E. Mr. de Souza noted that the international situation had a negative impact on the region's economy in 2016, as reflected in the contracted growth. This situation has resulted in the need to adopt strategic guidelines aimed at increasing intra-Community trade.

7. The Commission President provided an update to Council on the implementation of the Common External Tariff as well as the Economic Partnership Agreement (EPA) and noted the significant progress in the areas of peace, security, rule of law and democracy. He expressed satisfaction with the conduct of peaceful presidential elections in five Member States in 2016, while deploring the persistent political and security challenges in others.

8. Regarding the operationalisation of the Centre for Maritime Security in West Africa (CRESMAO) based in Abidjan, Cote d'Ivoire, the President informed Council of the establishment of an internal committee to review the proposals made by Maxwell Stamp PLC. He concluded by thanking technical and financial partners and international organisations for their continued support to ECOWAS.

9. In her opening address, the Chair of Council, Ambassador Marjon V. Kamara, on behalf of the current Chairperson of the Authority of Heads of State and Government, H.E Ellen Johnson-Sirleaf, welcomed all the participants. She expressed the hope that deliberations on the various agenda items presented, will be thorough and focused in order to reach consensual decisions and put forward recommendations in the interest and benefit of the Community.

10. She continued by giving an overview of some engagements since becoming the Chair of Council in June 2016, especially working in collaboration with the ECOWAS Commission to identify our regional candidates to AU positions for the forthcoming African Union Commission's elections slated for January 2017; various diplomatic, political and mediation initiatives undertaken by the Chair of the Authority, H.E. President Ellen

Johnson-Sirleaf to resolve the political stalemate in Guinea Bissau, as well as high level visits to Niamey and Nigeria. She commended Member States for the progress on the consolidation of democracy and regional integration and urged Member States to continue working towards improved economic growth.

11. She concluded her address by wishing participants fruitful deliberations and thereafter declared open the 77th Ordinary Session of the ECOWAS Council of Ministers.

12. The full texts of both speeches are attached as an annex to this report.

III. ELECTION OF BUREAU

13. The following Bureau was elected:

- Chair - Republic of Liberia
- Rapporteurs - Cabo Verde
- Togolese Republic

IV. ADOPTION OF AGENDA AND WORK PROGRAMME


14. The following agenda was adopted

(i) Opening Ceremony

- Remarks by the President of the ECOWAS Commission
- Opening Statement by the Chair of Council
- Presentation on the film "TAXI CEDEAO"
- Election of Bureau
- Adoption of Draft Agenda and Work Programme

Items for Decision

- (ii) Presentation and consideration of Annual Report of the President of the Commission
- (iii) Presentation and Consideration of Task Assigned to Community Institutions by the Seventy –Sixth Ordinary Session of the Council of Ministers
- (iv) Presentation and Consideration of the 2016 Financial Controller's Interim Report
- (v) Presentation and Consideration of the Final Report of the Twentieth Meeting of the Administration and Finance Committee



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- (vi) Presentation and Consideration of the Report on the effects of cost reduction measures adopted by management
- (vii) Presentation and Consideration of a Memorandum on Transfer of the Regional Integrated Support Programme for the Fouta Djallon Highlands from the African Union
- (viii) Presentation and Consideration of the report of the meeting of ECOWAS Ministers of Justice on the enhancement of the Powers of the ECOWAS Parliament
- (ix) Presentation and Consideration of a Memorandum on the reorganisation of ECOWAS Permanent Representation in each Member State
- (x) Presentation and Consideration of a Memorandum on amendment of the Protocol establishing the ECOWAS Brown Card
- (xi) Presentation and Consideration of a Memorandum on implementation of the Common External Tariff (CET)
- (xii) Presentation and Consideration of a Memorandum on Community Status to be granted SEALINK project
- (xiii) Presentation and Consideration of a Memorandum on a Regional Charter on Strategy for Micro, Small and Medium Enterprises
- (xiv) Presentation and Consideration of Memorandum on the Organogram of ECOWAS Commission
- (xv) Presentation and Validation of Cross-Border Cooperation Programme
- (xvi) Consideration of the Draft Agenda of the Fiftieth Ordinary Session of the ECOWAS Authority of Heads of State and Government

Items for Endorsement

- (xvii) Information Note on ONE Health
- (xviii) Presentation of a Memorandum on the Operationalisation of the Regional Centre for Disease Control (ECOWAS CDC)
- (xix) Presentation and Consideration of report of meeting of Ministers in charge of ICT

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- (xx) ECOWAS Action Plan to address Illicit Drug Trafficking, Organised Crime and Drug Abuse in West Africa 2016 – 2020

Items for Information

- (xxi) Update on Economic Partnership Agreement (EPA) with European Union
- (xxii) Update on Institutional Reform Project
- (xxiii) Update on the situation of EBID
- (xxiv) Update on Community Development Programme (CDP)
- (xxv) Update on Status of the Regional Indicative Programme
- (xxvi) Update on the organisation of the ECOWAS Trade Fair
- (xxvii) Information by the Task Force on ECOWAS Trade Liberalisation Scheme (ETLS)
- (xxviii) Update on the ECOWAS Biometric ID Card
- (xxix) Any other Business
- (xxx) Adoption of Report
- (xxxi) Vote of Thanks
- (xxxii) Closing Ceremony

V. OUTCOME OF DELIBERATIONS

Item 2: Presentation and Consideration of the 2016 Annual Report of the President of the Commission

15. The 2016 ECOWAS Annual Report presented the status of implementation of the Community (Commission and other Community Institutions) Work Programme for the year 2016. Prior to the update on implementation of the Work Programme, the report provides information on the regional and global socio-economic environment in 2016.

16. In the global economic environment, growth stood at 3.1% in 2016 compared to 3.2% in 2015 and 3.4% in 2014. In sub-Saharan Africa, growth slowed down significantly compared to 2015, to stand at 1.4% compared to 3.4% in 2015, due in particular to the contraction of Nigeria's economy and the near-stagnation of South Africa's growth (+0.1%). In ECOWAS, economic

activity will contract with growth rate standing at -0.2% compared to 3.1% in 2015. This change will be explained largely by the contraction of 1.7% expected in Nigeria due to the fall in oil prices and depreciation of the Naira. In this context, average inflation in the ECOWAS region will be 12.1% in 2016 compared to 8% in 2015 while the budget deficit will worsen from 4% in 2015 to 4.5% in 2016.

17. Regarding implementation of the Community Work Programme, activities were hampered in the first two quarters due to the poor financial situation. In the area of economic and monetary integration, the Commission conducted the different scheduled meetings and validated the country reports on macroeconomic convergence. For the construction of a common market, the ECOWAS CET, which entered into force on 1 January 2015, is being implemented by ten Members States as at 30 October 2016. Concerning the free movement of persons and goods, initiatives have started to detect irregular practices at some borders, to check these practices and allow for the unfettered movement of persons and goods.

18. In the agricultural sector, a new partnership framework on agriculture and rural development was established with Israel, to promote cooperation in the areas of training and capacity building, agricultural research, technology transfer and the intensification of agriculture and natural resource management.

19. There are still challenges in the area of peace and security, particularly with the terrorist attacks in Mali, Burkina Faso, Niger and Cote d'Ivoire and the activities of Boko Haram in Nigeria in spite of the notable progress in the country. In Niger and Nigeria, Boko Haram attacks contribute in aggravating the humanitarian crisis given the resultant movement of people. Of concern is the situation of refugees and internally displaced persons particularly in north-eastern Niger and Nigeria.

20. Community initiatives comprise, among others, (i) continued activities for the operationalisation of national early warning and rapid response mechanisms (MNAPR) in Member States, (ii) continued activities to check the illicit traffic in small arms and light weapons in the region and (iii) continued efforts to fight threats to maritime security and safety in the Gulf of Guinea (GoG) and along the West African coast.

21. Other Community Institutions carried out activities in performance of their respective roles.

22. The report presented some recommendations for continuing in and strengthening the current process and consolidating ECOWAS Institutions. These include, among others, (i) continued intensification of efforts for the realisation of regional integration projects (ECOWAS CET, Trade Liberalisation Scheme, free movement of persons and goods), (ii) continued efforts to ensure

sound macroeconomic management of economies, the prerequisite for a stable and viable monetary union, (iii) compliance with the Community Levy Protocol, (iv) continued efforts for the consolidation of peace and security in the region, (v) fast-tracking of institutional reforms at the Commission and other Community institutions for enhanced operations and greater effectiveness.

23. Council commended the President of the ECOWAS Commission for the quality of the report.

24. In the deliberations that ensued particularly on the implementation of the Protocol on free movement of goods and persons, Council expressed deep concern with regard to the real situation at the Community borders as highlighted in the film "Taxi CEDEAO" recorded by a hidden camera and recommended that all contributions be forwarded to the Task Force created by the Heads of States for monitoring the implementation of the Protocol

25. Finally, Council adopted the annual report.

Item 3: Consideration of the Implementation Status of Tasks Assigned to Community Institutions by the Seventy-Sixth Ordinary Session of Council of Ministers

26. The Commission presented an implementation status report on the tasks assigned to ECOWAS Institutions by the Council of Ministers at its 76th Ordinary Session held in Dakar on 13 May 2016.

27. Council congratulated the Commission on the quality of the report and adopted it after deliberations.

Item 4: Presentation and Consideration of the Financial Controller's 2016 Interim Report

28. The 2016 Report of the Financial Controller was presented to Council. The report covered the budgetary, financial and staffing situation of Community Institutions for the period 1st January to 30th June 2016. The report recalled that a balanced revenue and expenditure budget of UA224.6m was approved by the 75th Ordinary Session of the Council of Ministers to fund programmes and administrative costs for 2016, in pursuit of the Community's integration efforts. These resources were to be mobilised principally from Community Levy mechanisms, as donor grants and assistance continue to decline.

29. Council was informed that half way through the year, total revenue amounted to UA62m, yielding a 28% mobilisation rate, whilst expenditure was UA45m out of the budgeted UA224.6m, representing a 20% execution rate.

30. On the staffing situation, the Financial Controller stated that the Community staff strength increased by 9 from the December 2015 number of 1,097. This comprises 27 Statutory Appointees, 51 Directors, 439 other International Staff and 589 Local Staff. Females represent 28% of staff. The Community has 5 Institutions, 6 Agencies, 4 Liaison Offices, 5 Centres, 9 Special Representations and 4 Zonal Bureaux.

31. He further mentioned that nearly 2 years into the implementation of the new Tenders Code, some pertinent issues have been observed. The prerogative to waive clauses reserved for Council has been violated, whilst contracts expected to be endorsed by the Tenders Board and Chair of the Administration and Finance Committee were equally violated. Weaknesses also exist in the evaluation and screening of contractors. As a remedial measure, the Commission has agreed to appoint an external auditor to conduct a procurement Audit in 2017.

32. He also informed Council that instances still exist of payments being made without the endorsement of the OFC. There is undue delay before large sums of advances are accounted for, with such amounts not timeously posted into the accounting system thereby affecting the relevance and accuracy of accounting information. Employment contracts have been awarded without the vetting of the OFC, resulting in conflicting conditions and other irregularities.

33. In conclusion, the Financial Controller made the following recommendations:

- (i) All recruitment contracts should be subject to prior vetting and endorsement of the Financial Controller in line with Article 21(2) of the Financial Regulations. In addition, the Commission should review and remedy all cases of conflicting conditions of service, wrong placements, under/over payment of staff benefits.
- (ii) In a bid to comply with Council Decision C/DEC.8/7/92 on conditions of service of Contract Staff, default payment of Responsibility Allowance to such staff should be discontinued forthwith.
- (iii) The payment of \$1,000 touring advance to Statutory Appointees as per regulation C/DEC.5/11/91 is no longer relevant under the prevailing circumstances, and should therefore be stopped. In the event of any unforeseen expenses incurred by a statutory appointee during missions, such may be reimbursed as appropriate
- (iv) As a way of improving the management of financial resources, a policy on administrative/institutional overhead cost to be included in the budget of donor funded projects should be developed. Likewise, subventions and grants to NGOs should be suspended until the financial position of the Community improves significantly.

(v) The Judicial Council and the Audit Committee are critical for sound governance of Community Institutions. In this regard, Council is invited to direct the immediate reconstitution of these two important bodies.

34. Council commended the Financial Controller for the quality of the report and adopted it with all the recommendations contained therein.

Item 5: Presentation and Consideration of the Final Report of the 20th Meeting of the Administration and Finance Committee

35. The final report of the 20th meeting of the Administration and Finance Committee was presented by the Chair of the Committee, Mr Benedict Roberts. The report covered the following main areas:

- ❖ Status of tasks assigned to Community Institutions
- ❖ Presentation on the Financial Situation of the Community
- ❖ Monitoring and Evaluation Report for the period January to September 2016
- ❖ Memorandum on payment of allowances to Procurement Staff and Members of Procurement Committee
- ❖ Memorandum on the Transformation of Mission Planning and Management Cell (MPMC) into Peace Support Operations Division (PSOD)
- ❖ Memorandum on the Creation of the Fund for the Development and Financing of Transport and Energy Sectors
- ❖ Memorandum on proposals for a new policy on the ECOWAS Biometric Laissez –Passer
- ❖ Memorandum on transfer of the regional Integrated support programme for the Fouta Djallon Highlands from the African Union Commission to the ECOWAS Commission
- ❖ Memorandum on ECOWAS Honorary Awards
- ❖ Memorandum on ECOWAS Pension Scheme
- ❖ Memorandum on the Organisational Structure of the Commission

- ❖ Memorandum on the inclusion of Ambassadors of Member States in Nigeria in the ECOWAS Institutional Framework as an Advisory Organ of the Council of Ministers
- ❖ 2017 Draft Consolidated budget of ECOWAS Institutions
- ❖ 2016 Interim report of the Financial Controller

36. After deliberations and further clarification by the Chair of the Administration and Finance Committee, Council commended the Administration and Finance Committee for the comprehensive report. Council also approved the 2017 budget of ECOWAS Institutions in the total sum of UA 267,943,662.71 as presented in the table summary table below:

TABLE 1: SUMMARY OF 2017 INCOME BUDGET OF THE COMMUNITY

	COMMUNITY PROPOSAL	AFC RECOMMENDATION	VARIANCE	
	(UA)	(UA)	AMOUNT (UA)	%
Community Levy	173,747,772.06	173,747,772.06	0	0.0
Reserves	44,485,160.88	44,485,160.88	0	0.0
Arrears of Community Levy	23,014,411.90	23,014,411.90	0	0.0
Arrears of Contribution	2,614,997.18	2,614,997.18	0	0.0
Other Income	227,695.00	227,695.00	0	0.0
External Funding	23,853,625.69	23,853,625.69	0	0.0
TOTAL	267,943,662.71	267,943,662.71	0	0.0

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**TABLE 2: SUMMARY OF 2017 EXPENDITURE BUDGET
OF THE COMMUNITY**

	COMMUNITY PROPOSAL	AFC RECOMMENDATION	VARIANCE	
	(UA)	(UA)	AMOUNT (UA)	%
Community Institutions	230,266,880.00	230,266,880.00	0	0.0
Statutory Obligations	12,783,602.20	12,783,602.20	0	0.0
Special Programmes in Member States	9,399,775.38	9,399,775.38	0	0.0
Peace & Security	15,493,405.13	15,493,405.13	0	0.0
TOTAL	267,943,662.71	267,943,662.71	0	0.0

**TABLE 3: SUMMARY OF 2017 EXPENDITURE
BUDGET OF THE INSTITUTIONS**

	COMMUNITY PROPOSAL	AFC RECOMMENDATION	VARIANCE	
	(UA)	(UA)	AMOUNT (UA)	%
ECOWAS Commission	146,332,681.00	146,332,681.00	0	0.0
ECOWAS Parliament	19,863,696.00	19,863,696.00	0	0.0
Community Court of Justice	17,215,428.00	17,215,428.00	0	0.0
West African Health Organisation (WAHO)	33,197,749.00	33,197,749.00	0	0.0
Inter-Governmental Action-Group Against Money Laundering (GIABA)	13,657,326.00	13,657,326.00	0	0.0
TOTAL	230,266,880.00	230,266,880.00	0	0.0

**TABLE 4: SUMMARY OF 2017 EXPENDITURE
BUDGET OF STATUTORY OBLIGATIONS**

	COMMUNITY PROPOSAL	AFC RECOMMENDATION	VARIANCE	
	UA	UA	AMOUNT (UA)	%
Chairman of Authority (0.5% of Member State's Community Levy)	17,583.00	17,583.00	0.00	0%
Chairman of Authority (UA 1,200,000)	1,200,000	1,200,000.00	0.00	0%
ECOWAS National Unit (4.5% of Community Levy)	11,566,019.20	11,566,019.20	0.00	0%
TOTAL	12,783,602.20	12,783,602.20	0.00	0%

TABLE 5: SUMMARY OF 2017 EXPENDITURE BUDGET OF SPECIAL PROGRAMMES/INTERVENTION IN MEMBER STATES

	COMMUNITY PROPOSAL	AFC RECOMMENDATION	VARIANCE	
	(UA)	(UA)	AMOUNT (AU)	%
Emergency Power Supply	5,500,000.00	5,500,000.00	0	0.0
EBID Interest Rate Subsidy Fund (IRSF)	3,899,775.38	3,899,775.38	0	0.0
TOTAL	9,399,775.38	9,399,775.38	0	0.0

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**TABLE 6: SUMMARY OF 2017 EXPENDITURE
BUDGET OF PEACE & SECURITY**

	COMMUNITY PROPOSAL	AFC RECOMMENDATION	VARIATION	
	(UA)	(UA)	AMOUNT (AU)	%
Peace Fund	8,687,388.60	8,687,388.60	0	0.0
ECOMIB	6,806,016.53	6,806,016.53	0	0.0
TOTAL	15,493,405.13	15,493,405.13	0.00	0.0

37. The ratios relating to the 2017 budget of the Institutions of the Community are as follows:

Administrative Cost	-	38.9%
Programme Cost	-	61.1%

	PROGRAMME	ADMINISTRATIVE	TOTAL
ECOWAS Commission	89,794,191.00	56,538,490.00	146,332,681.00
ECOWAS Parliament	9,922,209.00	9,941,487.00	19,863,696.00
Community Court of Justice	1,204,721.00	16,010,707.00	17,215,428.00
West African Health Organisation (WAHO)	27,026,255.00	6,171,494.00	33,197,749.00
Inter-Governmental Action-Group Against Money Laundering (GIABA)	10,916,193.00	2,741,133.00	13,657,326.00
Statutory Obligations	0.00	12,783,602.20	12,783,602.20
Special programmes	9,399,775.38	0.00	9,399,775.38
Peace & Security	15,493,405.13	0.00	15,493,405.13
TOTAL	163,756,749.51	104,186,913.20	267,943,662.71
%	61.1%	38.9%	

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Item 6: Presentation and Consideration of the Report on the effects of Cost reduction measures adopted by Management

38. The Commission presented a memorandum on the cost containment measures it had undertaken and their implications. The cost containment measures focused on areas such as insurance, travel and mission, telephone bills, mission advances, rented properties, benefit packages, seminars, workshops, retreats and statutory meetings, procurement of goods and services, extraordinary or off-budget expenses, peacekeeping activities, ECOWAS elections and observation missions, staff recruitment and expansion of departments.

39. The review of the analysis conducted by the Commission covered the period April to September 2016 whilst the effective period of implementation commenced in May 2016. The memorandum also provided an analysis of the financial and non-financial outcomes of the exercise. The memorandum revealed that the financial impact of the savings made from these measures amounted to UA6.956 million (or USD 9.71 million). Of the total savings, 90.1% was by the Commission whilst Parliament and GIABA contributed 8.1% and 1.9% respectively.

40. Council commended the President of the ECOWAS Commission for the cost reduction measures put in place; and took note of the progress made so far. It however observed that the savings assessment period should have been much longer and reported on the later part of 2017. Council encouraged the President to continue with the measures and to ensure that they are applied to all other Community Institutions and Agencies.

Item 7: Presentation and Consideration of a Memorandum on Transfer of the Regional Integrated Support Programme for the Fouta Djallon Highlands from the African Union

41. The Fouta Djallon Highlands (MFD) is made up of several high plateaus located in the centre of the Republic of Guinea and extending to Guinea Bissau, Mali, Senegal and Sierra Leone. The Fouta Djallon Highlands is recognized as the "water tower" of West Africa.

42. In the early 1970s, at the 33rd Session of the Council of Ministers of the Organisation of African Unity (OAU), held in Monrovia, Liberia, it was decided to put in place the **Regional Programme for integrated management of the Fouta Djallon Highlands (PRAI-MFD)**.

43. The programme concerns eight countries dependent on the waters of the highlands, namely The Gambia, Guinea, Guinea Bissau, Mali, Mauritania, Niger, Senegal and Sierra Leone.

44. The purpose of the PRAI-MFD is "to ensure the protection and rational use of the natural resources of the highlands and contribute to improving the living standards of the people living in the highlands".

45. The PRAI-MFD is implemented by the AU Commission, in partnership with UNEP, FAO, UNESCO and the former United Nations Sudano-Sahelian Office (UNSO), through an International Coordinating Office of the African Union (BCI-AU), based in Conakry, Guinea.

46. Decision CM/Dec LXXXIII of the 73rd Ordinary Session of the OAU Council of Ministers approved "the principle of a transfer of responsibility" of the PRAI-MFD to ECOWAS. This decision was subsequently confirmed by the 3rd Ordinary Session of the Council of Ministers of the African Union (AU), held in July 2003 in Maputo, Mozambique.

47. Two meetings were held, respectively, from 15 to 17 July 2014 and from 17 to 19 October 2016 in Conakry, Guinea, to define modalities and speed up the transfer.

48. Funding for the programme is provided by the African Union Commission, supported by the Fouta Djallon Highlands Integrated Natural Resource Management (PGIRN-MFD) project, with the amount of US \$ 6,000,000.00 (Six Million US Dollars), financed by the Global Environment Facility (GEF) and the United Nations Environment Programme (UNEP), for the period 2015-2017. The project is being implemented by FAO.

49. To assume responsibility for the programme, the ECOWAS Commission has submitted a request for the allocation of funds, which has been validated for US \$ 400,000.00 (Four Hundred Thousand US Dollars) from the 2017 budget for activities related to the transfer process.

50. The Commission is submitting this report to the Council of Ministers for a decision to endorse the AU decision to transfer the Regional Programme for Integrated Development of the Fouta Djallon Highlands from the African Union Commission to ECOWAS.

51. Council endorsed the AU decision to transfer the programme to the ECOWAS Commission and noted that the programme is very important for the Community since the area is the watershed for most of the major rivers within the Community.

**Item 8: Presentation and Consideration of report of meeting of
ECOWAS Ministers of Justice on the enhancement of the
Powers of ECOWAS Parliament**



52. The report of the meeting of ECOWAS Ministers of Justice on the adoption of the Draft Supplementary Act on the Enhancement of the Powers of Parliament was presented by Ms. Hariette G. Badio, Deputy Minister for Justice, who chaired the meeting that took place on 6th December 2016, representing the Attorney General and Minister of Justice of the Republic of Liberia.

53. The report recalled the earlier adoption processes undertaken in order to obtain the approval of the decision-making bodies of the Community, particularly an earlier presentation to the Authority of Heads of State and Government. The Authority had directed that further thought be given to the subject in order to ensure a gradual and phased enhancement of the powers of Parliament.

54. The Chair also recalled that the Ministers of Justice at a previous meeting held in Abidjan in September 2013 had thoroughly considered the draft Act. Thus, during the December 2016 meeting, the Ministers were able to concentrate on the contentious areas over which the Authority had expressed concern. These areas relate to the following:

a) Mode of Electing Members, Article 18

Adhering to the position of the Authority, the Ministers resolved to maintain the status quo of appointing members from their National Assemblies. The mode of election that was rejected is that based on electoral colleges constituted from National Assemblies. The Authority had felt that this method was not sufficiently democratic. Article 18 which was approved provides that "pending the time Representatives are directly elected by citizens of Member States, the National Assemblies of Member States or their equivalent institutions or organs shall elect such Representatives from amongst themselves".

b) Article 7 (5) and (6) in relation to conflict with the mandate of the Court of Justice, ECOWAS

On the issue of the competence of the Parliament in relation to human rights and fundamental freedoms, the meeting maintained the wording in the current Protocol on the Parliament which in no way conflicts with the responsibility of the Court to adjudicate on Human Rights issues.

c) Community Budget (Articles 16 & 17)

The meeting ascertained that the Parliament can only exercise a simple opinion with regards to the adoption of the Community Budget. It discussed the treatment of the budget of Parliament within the

procedure for adopting the Community budget. No amendments were made to the text as the clarification was given that the Parliament budget is forwarded to the Commission in like manner to other Community institution for consolidation.

d) Immunity of Members (Article 20)

The meeting retained the proposal in the draft regarding Parliamentary Immunity based on the information that it was the practice in all international and regional institutions.

e) Opinion and Mandatory Assent (Articles 11 & 12)

The meeting discussed the form in which the opinion of Parliament is given and agreed that against the backdrop of its power to adopt Resolutions the Parliament may either give "Opinions" or a "Mandatory Assent" on Community matters.

55. During deliberations on the Act, the Council of Ministers considered the implication of the draft Supplementary Act with the understanding that its implementation would ultimately reposition the Parliament as provided for under the revised Treaty and the relevant Supplement Acts and in compliance with the directives of Heads of State and Government. It thereafter recommended the attached Draft Supplementary Act on the Enhancement of the Powers of Parliament to the Authority for adoption.

Item 9: Presentation and Consideration of a Memorandum on Reorganisation of ECOWAS Permanent Representation in Member States

56. The ECOWAS Commission presented a memorandum on the reorganisation of ECOWAS Permanent Representations in Member States. It then highlighted the outcome of the study on Permanent Representations which concluded that the establishment of Permanent Representations in all Member States of the Community, if well implemented, will be an important driver for boosting the integration process. Therefore, it is important to fast-track the setting up of the Representations.

57. Lastly, the Commission reviewed the organogram, description of duties and average set-up costs for the Permanent Representations in Member States. It therefore recommends to Council to endorse the organogram and the duties as described in the memorandum.

58. After deliberations, Council endorsed the Commission's memorandum on the reorganisation of ECOWAS Permanent Representations in Member States.

Item 10: Presentation and Consideration of the Memorandum on Amendment of the Protocol Establishing ECOWAS Brown

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59. The report of the Meeting of ECOWAS Ministers in charge of Security held on 2 December 2016 in Lomé, Togolese Republic was presented to the Council of Ministers.

60. The report highlighted proposed amendments to the Protocol on the establishment of the ECOWAS Brown Card. The proposed amendments relate mainly to the status of the Brown Card, the office which is an ECOWAS Specialised Institution, systematic or mandatory nature of the Brown Card, adoption of a harmonised model for National Bureaux, method of payment of contributions, establishment of a Community Card Regulatory Authority for the Brown Card, institutional framework of the Brown Card vis-à-vis the ECOWAS Commission and the Council of Ministers as well as annexes to the revised draft Protocol.

61. After deliberations, Council deferred the adoption of the Ministers Meeting report and directed the Commission to organise a meeting within the first quarter of 2017 to enable Member States exchange experiences with Togo on the systematic issuance of the Brown Card for third-party motor insurance.

Item 11: Presentation and Consideration of a Memorandum on Implementation of the Common External Tariff (CET)

62. Liberia's Finance Minister informed Council that ECOWAS Finance Ministers met on 18 August 2016 to assess the status of implementation of the CET in Member States and endorse regulations to facilitate the implementation of the CET. It was noted that as at 30 October 2016, ten (10) Member States are applying the ECOWAS CET. These are Benin, Faso, Cote d'Ivoire, Ghana, Guinea Bissau, Mali, Niger, Nigeria, Senegal and Togo. Preparations are at an advanced stage for the implementation of the CET in The Gambia, Guinea, Liberia and Sierra Leone. The Finance Ministers undertook to implement the CET on 1st January 2017. The support of the Commission is therefore needed for the implementation of the CET in 2017.

63. To ensure an effective implementation of the CET, the Finance Ministers approved three (3) Regulations and proposed same to Council for adoption. They include:

- a draft amendment to the Regulation on the Supplementary Protection Measures
- a draft amendment to the Regulation determining the procedure applicable to heavily taxed inputs
- a draft amendment to the Regulation on the definition of the list of categories of goods contained in the tariff and statistical nomenclature of the ECOWAS CET.

64. The meeting of ECOWAS Finance Ministers also approved the Draft Supplementary Act on the Establishment, Organisation and Functioning of the Joint ECOWAS-UEMOA Committee for the management of the **ECOWAS Customs Union**. The meeting therefore recommends to the Council to approve the Supplementary Act and submit same for adoption by the Authority of Heads of State and Government.

65. Council adopted the memorandum and the proposals made therein.

Item 12: Presentation and Consideration of a Memorandum on Community Status to be granted SEALINK project

66. The memorandum presented by the Commission requested the Council of Ministers to grant the status of Community Enterprise to the Sealink Transnational Shipping Company PLC in line with the conclusions of the sectoral Ministers' meeting held in Lomé, Togo on 17th October 2016. Sealink will cover the West and Central African coast line.

67. The memorandum noted that regional competitiveness depends largely on the efficiency of transportation - free movement of persons and goods – and that maritime transportation is the most efficient due to its cargo and commuters carriage economies relative to trucks and airlines.

68. It cited many legal provisions for this request including Article 32 of the ECOWAS Treaty which provides for cooperation in the areas of transport, communication and tourism; Decision A/Dec.20/5/80 on regional transport programme; Decision A/Dec.4/11/84 relating to maritime transportation and creation of a regional shipping line service; Supplementary Protocol A/P1/11/84 relating to Community Enterprises and Decision A/Dec.8/01/05 setting out the legal regime for coastal shipping in the Community.

69. It reported that in West and Central Africa current shipping costs are among the highest in the world due to the need to trans-ship through Europe or South Africa, the host countries of the foreign shipping lines who dominate the regional waters.

70. It noted that the ECOWAS Sealink project will provide a reliable, affordable and efficient shipping service within the two regions, linking all the capital cities on the West African coastline and Cameroon in Central Africa as a start.

71. It concluded by requesting Council to endorse the report of the sector Ministers and grant the status of a Community Enterprise to the Sealink Transnational Shipping Company PLC.

72. Council adopted the memorandum after deliberations.



Item 13: Presentation and Consideration of a Memorandum on a Regional Charter on Strategy for Micro, Small and Medium Enterprises

73. The memorandum presented by the Commission sought the approval of the Council of Ministers for the draft strategy for micro, small and medium enterprise (MSME) development and MSME Charter earlier validated by sector Ministers at their meeting in Monrovia, Liberia on 10th November 2016.

74. It noted that long term sustainable economic growth which is a key objective of the economic plans of all ECOWAS Member States is determined by the effectiveness of enterprises, of which MSMEs are the majority in the ECOWAS region.

75. It recalled Article 3 (g) of the Revised Treaty which specifically provided for the promotion of SMEs and the directives of the Authority at its 29th Session on 12th January 2006 in Niamey to the effect that the Commission should organise and promote the private sector in the region. The memorandum also cited the regional Strategy for Private Sector Development (PSD) earlier adopted by Council in December 2014.

76. The Commission noted that the MSME Strategy will provide specific directions to Member States on the promotion of MSMEs while the Charter will provide guidelines for specific policies and programmes. It called on Council to endorse the report of the sector Ministers and adopt the Regional MSME Strategy and MSME Charter for implementation.

77. The presentation was concluded by requesting Council to call on Ministers responsible for MSMEs' development in Member States to sign the MSME Charter and commit to its implementation.

78. Council adopted the memorandum after its presentation

Item 14: Presentation and Consideration of the Memorandum on the Organogram of ECOWAS Commission

79. The Commission presented a memorandum requesting Council to adopt a provisional organogram for the Commission pending the conclusion of the ECOWAS institution reform process. Against the backdrop of deliberations by Council, the President of the Commission briefed members on the incident concerning a 2015 Council Regulation adopting an organogram for the Commission. The Regulation, bearing the signature of the former Chair of Council Hon. Khadim Diop, was unequivocally disavowed by Hon. Khadim Diop who insisted that his signature was fraudulently procured. The President informed the meeting that he had since commenced investigations into the

circumstances surrounding the disputed Regulation and had referred the matter to the Community Court of Justice for legal opinion.

80. Hon. Diop provided clarifications, stating that the draft Regulation approving the organisational structure of the Commission which he was to sign and its annexes, were inconsistent with the decisions of the 14th Extraordinary and 75th Ordinary Sessions of Council. Moreover, in the presentation on the organogram to Council at the 75th Ordinary Session, there was no indication of new directorates (to be created) which would contradict the rationalisation process initiated by the Authority. Therefore, Hon. Diop decided not to sign or initial the Regulation and its annexes.

81. Council's discussions on this matter focused on: the appropriateness of the Court in addressing a purely investigative matter and the absence of a clear system or procedure to guide the signing of meeting reports and Community Acts by relevant regional Authorities. Council also noted the need for its decisions to be backed by recommendations from the AFC on administrative matters of this nature.

82. Council ultimately resolved as follows: - That the President of the Commission should ensure that investigations into the origins of the disputed Regulation be carried out with dispatch and undertaken by the appropriate authorities and appropriate sanctions meted out as required

83. That Council would merely take note of the provisional organogram presented by the Commission which it would regard as work in progress. The Commission was asked to accelerate its development of a comprehensive organogram that would take account of the ongoing institutional reform process. Council also directed that the new organogram to be developed should be presented at an extraordinary session of the AFC to be held in the first quarter of 2017.

Item 15: Presentation and Validation of Cross-Border Cooperation Programme

84. The West African region and by extension the Sahel faces conflicts, attacks, terrorist threats and all kinds of crime. This situation is associated with extreme poverty of populations and deficit in socio-economic infrastructure thus reducing development prospects particularly in border regions where the insecurity is increasingly prevalent. This is a real threat to peace and stability in the sub-region.

85. In line with its vision to move towards a Community-wide integration for the people, ECOWAS plans on taking up century-long ties of socio-economic exchanges and cultural homogeneity between border communities to

permanently consolidate integrated local development in an environment of peace and security.

86. There is therefore the need for effective integration of border regions through the development, implementation and promotion of cross-border cooperation initiatives by local stakeholders in the ECOWAS region. It is with this mind that ECOWAS developed a new programme aiming at Community stakeholders, national and local authorities, the media and civil society organisations with a view to using cross-border cooperation as a tool for disseminating the Protocol on free movement of persons and goods.

Areas of intervention

- Peace and security

- Free movement of persons and goods, migration, trade

- Socio-economic infrastructure: Health, Education, Sport/Entertainment, Portable Water, Roads, Works for pastoralism....

- Agriculture, Livestock, Pastoralism and Food Security, Natural Resources

- Sensitisation, Information, Training, Communication,

- Governance, steering and coordinating mechanisms

- Knowledge management and research (Capitalisation, M&E, enhancement/upgrading, synergy, capacity building, etc.)

Budget

87. The total cost of the programme (2017-2021) is **USD 80 million**. A local cross-border cooperation initiative facilitation fund is currently being prepared. Resource mobilisation for the fund will scale-up joint or shared infrastructure (schools, healthcare centre, drinking water, transportation networks, sports and entertainment, security checkpoint, works for pastoralism....) between cross-border communities in the ECOWAS region.

88. The Ministers of Integration meeting held in Bamako in November 2016 approved the draft document of the Regional Cross-Border Cooperation Support Programme. It, consequently, requests Council to recommend the document to the Authority of Heads of State and Government for adoption.

89. Council adopted the memorandum after its presentation.

Item 16: Consideration of the Draft Agenda of 50th Ordinary Session

of the ECOWAS Authority of Heads of State and Government

90. The President of the Commission presented the draft agenda of the 50th Ordinary Session of the Authority of Heads of State and Government.

91. After slight amendments, Council adopted the draft agenda attached to this report

Item 17: Information Note on ONE Health

92. Despite all the significant efforts made, ECOWAS Member States are regularly faced with epidemic outbreaks caused by zoonotic diseases, such as the viral haemorrhagic fevers (Ebola Virus Disease, Rift Valley Fever, Lassa fever, etc.) This is largely due to the fact that humans and animals share the same ecosystem with an increased risk of developing diseases. To address the situation, several strategies, initiatives and tools have been developed, including the WHO's International Health Regulations (IHR), The World Organisation for Animal Health's OIE Tool for the Evaluation of Performance of Veterinary Services (OIE PVS Tool) and the Global Health Security Agenda (GHS). All these reference frameworks hinge on the "ONE HEALTH" Approach to strengthen multisectoral coordination (human health, animal health and environmental health) to better build and sustain essential capacities for preventing, detecting and responding to infectious disease threats.

93. Against this background, the ECOWAS Commission, WAHO, WHO, FAO and OIE, organised a joint ministerial meeting in Dakar from 8 to 11 November 2016, which brought together stakeholders from various health sectors (animal, human and environment) with a view to promoting the adoption and implementation of the "ONE HEALTH" Approach in West Africa.

94. Given the importance of the "ONE HEALTH" Approach, the matter is hereby referred to the Council of Ministers for information and for instruction to be given to the ECOWAS Commission and WAHO to take the necessary steps towards effective implementation of the "One Health" Approach in the West African region.

95. Council adopted the memorandum after its presentation

Item 18: Presentation of a Memorandum on the Operationalisation of the Regional Centre for Disease Control (ECOWAS CDC)

96. The memorandum recalled the Decision by the ECOWAS Authority of Heads of State and Government, at its 47th Session held in Accra, to establish the Regional Centre for Disease Surveillance and Control with headquarters in Abuja, Nigeria. It also recalled that relative to the adoption of the Regulation on its establishment and operating procedures at its 48th Session, ECOWAS

Commission and WAHO were instructed to fast-track implementation and operationalisation of the Centre. At its second meeting, held in Abuja on 21 October 2016, the Governing Board of the ECOWAS Regional Centre for Surveillance and Disease Control adopted a Draft Organisational Chart of the Centre and identified some key positions to be filled quickly and as a matter of priority for the effective start of operations of the Centre. The costs related to recruitment and payment of salaries of these key personnel have been taken into account in the 2017 WAHO budget approved by the ECOWAS Administration and Finance Committee which was held in Abuja from 14 to 20 November 2016. A Work Plan for the period 2016 – 2017 has been approved by Council and the Assembly of ECOWAS Health Ministers.

97. The matter is now referred to Council to enable WAHO and the Commission recruit twelve key personnel in accordance with the decision of the Authority.

98. Council adopted the memorandum as presented.

Item 19: Presentation and Consideration of report of meeting of Ministers in charge of ICT

99. The fourteenth Meeting of ECOWAS Ministers responsible for Telecommunications/ICT and Posts was held on 24 June 2016, at the *Palais des Congres* in Niamey, Niger. The Ministers approved a Directive on Postal Reform and Regulation and a Regulation on Conditions for Access to National and International Bandwidths on Terrestrial Networks within ECOWAS.

100. The objective of the directive is for better liberalisation of the postal market with the guarantee of quality of universal service.

101. The Regulation on Conditions for Access to National and International Bandwidths on Terrestrial Networks within ECOWAS allows for ECOWAS Member States to facilitate connectivity to landing stations of submarine cables particularly by ECOWAS landlocked countries. It also aims to reduce the costs of regional and international communications, popularise the use of ICT services including roaming and the Internet, thus accelerating the socio-economic development of Member States.

102. The Ministers also adopted the 2016-2020 ECOWAS ICT Strategic document, the ECOWAS Regional Cross-Border Interconnection Policy Framework for the implementation of Regional Internet Exchange Points (IXPs) and the ECOWAS Postal Services Master Plan.

103. Council endorsed the memorandum on this subject with the exception of the first recommendation on recruitment which it directed should be deferred until the conclusion of the institutional reform process

Item 20: ECOWAS Action Plan to address Illicit Drug Trafficking, Organised Crime and Drug Abuse in West Africa 2016 – 2020

104. In line with the directive of ECOWAS Heads of State and Government, the ECOWAS Commission, Member States, partners (UNODC and INTERPOL) and regional CSOs held series of consultations as part of the operational review of the 2008-2012 ECOWAS Drug Action Plan and subsequently developed a new Regional Action Plan to Address Illicit Drug Trafficking, Organized Crime and Drug Abuse in West Africa, covering the period 2016-2020.

105. The consultations culminated into the Experts' Group Meeting and ECOWAS Ministerial Meeting held from 2nd to 4th September and on 5th September, 2016 respectively, in Abuja in which the ECOWAS Drug Action Plan to Address Illicit Drug Trafficking, Organized Crimes and Drug Abuse in West Africa, 2016 – 2020 was reviewed and validated.

106. ECOWAS Ministers of Justice, the Interior or their representatives noted that the ECOWAS Drug Action Plan 2016-2020 addresses the drug demand reduction, law enforcement and legal concerns of Member States, which implies a balanced approach to tackling illicit drug trafficking and drug abuse in the region.

107. UNODC which had actively supported the ECOWAS Commission in the development process said "the ECOWAS Drug Action Plan 2016 -2020 is comprehensive and in line with international drug policies and conventions while addressing emerging crimes".

108. Following successful deliberations by the Ministers of Justice, the Interior or their representatives, the ECOWAS Drug Action Plan to address Illicit Drug Trafficking, Organized Crimes and Drug Abuse 2016-2020 was unanimously adopted. The Ministers recommended it for endorsement by the Council of Ministers, and onward transmission for adoption by ECOWAS Heads of State and Government.

109. Council endorsed the memorandum as presented.

Item 21: Update on Economic Partnership Agreement (EPA) with European Union

110. Since the 16 December 2014 decision of the 46th ECOWAS Summit to proceed with the signing of the EPA, thirteen (13) of the sixteen (16) West African countries have signed the agreement. The persistent fears regarding the anticipated impact of the EPA on their revenue, the effect of competition on certain activities, the amount of resources allocated by the EU, and the need to establish a monitoring and evaluation mechanism based on objective and

verifiable criteria seem to justify the delay. Still, most of the concerns raised have been addressed in the text of the agreement and the proposed instruments for its implementation. This includes financing of the EPA over several decades, handling of customs revenue losses, removal of subsidies on agricultural exports, and review and termination of the agreement by the parties.

111. In order to continue to preserve preferential access to the European market beyond 1 October 2016, Ghana and Côte d'Ivoire have had to ratify their interim EPAs, which once implemented could undermine the ECOWAS CET and consolidation of the common market, establishment of the common trade policy and free circulation. To render the interim EPAs obsolete, it is recommended that the Council of Ministers should urge Member States that are yet to sign the EPA to expedite their internal consultations for a quick political decision to allow their Ministers for Foreign Affairs or Ambassadors in Brussels sign the EPA.

112. Council took note of the memorandum.

Item 22: Update on Institutional Reform Project

113. The Commission presented a comprehensive update on the status of the institutional reform process for Community Institutions that started in July 2013. It informed the meeting that in addition to the Maxwell Stamp group which were currently on board to finalise key aspects of its investigations, a team of European Union (EU) funded Consultants were also in the Commission addressing priority reforms on the pillar assessments of the EU essentially centred on internal control systems of institutions. Against the backdrop of institutional operational changes approved by Council after the 26 month investigative analysis conducted by Maxwell Stamp Consulting, coupled with the expected gains from the EU group, the Commission reported that it was currently focused on realising some key deliverables as follows:

- proposals for the establishment of cost effective, efficient and sustainable organisational structures for all Community Institutions;
- a set of business processes in key areas that would result in greater operational efficiency,
- a travel administration and management policy,
- a career development policy in addition to a recruitment policy and plan;
- a code of conduct and ethics;
- modules on programme facilitation, design and evaluation;



- an IT master plan and an electronic document management system;
- a staff redeployment, re-allocation and rotation policy;
- improved internal control systems in the areas of Finance, Audit, Human Resources and Procurement that meet international standards.

114. The Commission also informed the meeting about its newly developed communication strategy for sensitisation and interface with all community entities as reform activities and proposals unfold.

115. The Commission in conclusion committed itself to working closely with the Ad hoc Ministerial Committee on Institutional Reforms which will consider and validate all new reform proposals prior to submission to Council. The Commission expects that important recommendations on the proposed organisational structures as well as some key operational policies and business processes will be submitted to the 2017 mid-year Ordinary Session of the Council of Ministers for approval.

116. Council took note of the memorandum.

Item 23: Update on the situation of EBID

117. The President of EBID presented an overview of the operational activities of the Bank. The Bank's total assets were recorded at UA 504.7 million in 2014 and rose to UA 547.0 million in 2015. The provisional figures as at 30 September 2016 was UA 522.7 million. Between 2014 and September 2016, the Bank has recorded positive reports: a net income of USD 1.7 million was realized in 2014 and this rose to USD 2.45 million as at 30 September 2016, representing an increase of 47%. As at 30 September 2016, the Bank's net cumulative commitments in Member States was recorded at UA 863.7 million or USD 1.2 billion for 116 projects; however, the lack of resources has adversely affected the Bank's operational activities in terms of project financing. As part of its strategy in mobilizing resources for project financing, the Bank has been engaged with a number of partners, including the China Development Bank (CDB), BADEA, OFID, BMCE, the Islamic Development Bank and the Indian EXIMBANK

118. It was reported that as at 20 October 2016, the arrears on the first and second tranches of the called-up capital of the Bank was recorded at UA 185,775,066 or about USD 242,100,055. It was further reported that, to date, only 5 Member States: Benin, Burkina Faso, Guinea, Mali and Niger have completely paid up arrears on the first and second tranches of the called up capital. The President of EBID urged the remaining 10 Member States to pay their arrears of the first and second tranches of the called-up capital.

Council took note of the memorandum.



Item 24: Update on Community Development Programme (CDP)

119. At the 49th Session of June 2016 in Dakar, Senegal, the ECOWAS Authority of Heads of States and Government directed that the roundtable for financing CDP projects be held in Abidjan, Cote d'Ivoire. In executing this decision, a number of activities were carried out by the ECOWAS Commission for the preparation of the roundtable. Following consultations between the Ivorian authorities, host country of the event, and the ECOWAS Commission, the end of March 2017 was selected for the roundtable. In addition, the African Development Bank agreed to support the Commission and EBID, and to lead the donor community for the preparation of the technical dossier, the mobilisation of partners and private investors, and the practical organisation of the event. Thus, this memorandum presents the progress made on the preparation of the roundtable for financing CDP priority projects. It is structured as follows:

- (i) Brief presentation of the 7 selected priority projects, covering the areas of transport, energy, agriculture and health;
- (ii) Resource mobilisation from regional institutions for the practical organisation of the roundtable;
- (iii) Meetings with the Ivorian authorities and technical and financial partners (AfDB, World Bank, JICA, IDB, BADEA, etc.);
- (iv) Ministerial meetings on the Abidjan-Lagos Highway Development Project and SEALINK Maritime Transport Project;
- (v) Meetings with private investors.

120. Finally, the memorandum presents the budget for the organisation of the roundtable and the roadmap for the main activities planned from December 2016 to March 2017.

121. Council took note of the memorandum.

Item 25: Update on Regional Indicative Programme (RIP)

122. Council was apprised of the status of implementation of the 10th and 11th EDF Regional Indicative Programmes (RIP) financed by the European Union to support the West African regional integration agenda.

123. With respect to the 10th EDF RIP (2008-2013), for an amount of €571 million, 21 projects are currently being implemented covering 2 priority sectors, namely (i) Regional Integration, Competitiveness and EPA and (ii) Regional Stability and Political Governance.

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124. The project management is carried out by the ECOWAS and/or UEMOA Commissions, with more than 67% of contracted funds.

125. With a view to improving the performance of the RIP implementation and making better use of available resources, with support from the EU, ECOWAS initiated an institutional capacity building programme (known as Support to ECOWAS Public Finance Management Reforms Project, in an amount of €9,8 million), to conform to international standards and procedures, specifically those of the EU. In the same vein, the Commission has recently set up an EDF Regional Authorising Office Support Unit, like UEMOA for the optimal implementation of EDF project and programme cycles.

126. Signed on 6 July 2015, the 11th EDF RIP (2014-2020), for its part is funded to the tune of €1.150 billion to principally finance 3 priority areas, namely (i) Peace, Security and Regional Stability (€250 million) ; (ii) Regional Economic Integration, Support to Trade (€575 million), and (iii) Resilience, Food and Nutrition Security and Natural Resources (€300 million). One non-focal sector (€25 million) covers support to regional institutions and Technical Cooperation Facility (TCF).

127. At this current stage of the PIR 11th EDF RIP instruction, **23 projects/programmes have been scheduled. Two of these projects have already been approved by the EDF Committee** for implementation at beginning of 2017. The projects are (i) West Africa Police Information System (SIPAO/WAPIS); and (ii) Governance improvement in the energy sector. To those projects, we can add the Technical Cooperation Facility (TCF) that was also approved by the Committee.

128. For the remaining projects, it is worth noting that 16 are at the stage of identification and formulation while 5 are in the pre-identification stage.

129. Concerning WAPIS, due to its sensitive nature, specifically the aspect related to the management of security information that falls in the sovereignty domain of ECOWAS Member States, a meeting was scheduled with Member States in the first quarter of 2017 to seek their approval on the use of Interpol and localization of the expert in Information Technology (IT) in Lyon or in an ECOWAS Member State.

130. On the Africa Investment Facilities (AfIF) of the European Union,

- 7 projects from West Africa were approved by this Fund of which 6 in transport sector and 1 in the energy sector to be financed through the financial blending mechanism. The approval of the remaining projects is scheduled for December 2016.
- The 3rd meeting of the Strategic Steering Committee, a decision-making and tripartite steering body, held in June 2016 in Lomé, authorised the addition to the indicative list of projects, technical studies of the main

corridors specially the Abidjan-Lagos and Dakar-Abidjan corridors. In this respect, a grant of EURO 9.13 million was allocated by the EU (AfIF) to the African Development Bank as additional financial resources for the feasibility study of the Abidjan-Lagos corridor.

131. On the Emergency Trust Fund, 3 projects were transmitted by ECOWAS. The response of the Approval Committee is still pending.

132. Recommendations and Way Forward:

To the ECOWAS Commission:

- Operationalise the EDF Regional Authorising Office Support Unit to enable the regional Authorizing Officer fully play its role of projects instruction manager as well as monitoring of the implementation of the 11th EDF RIP;
- Carry out a prior assessment of potential implementing agencies on the basis of specific criteria developed by the Commission;
- Ensure the signing of an « implementation agreement » between ECOWAS and any delegated entity benefiting from the resources of the 11th EDF RIP;
- Provide a financial contribution to the financing of projects in order to help remove certain constraints in EDF and EU procedures;
- Ensure the capacity building of regional financial institutions (EBID and BOAD) to allow them participate in the financing process of RIP projects through the financial blending mechanism.

To Member States and Mauritania:

- Ensure the participation of the ECOWAS Commission in the Steering Committees of regional projects and programmes being implemented by National Authorizing Officers;
- Ensure a periodical transmission of information on the implementation of projects and programmes to the ECOWAS Commission.

Way Forward :

- The 4th meeting of the Strategic Steering Committee is scheduled for the week of 15 June 2017 in Brussels.

133. Council took note of the information provided

Item 26: Update on the organisation of the ECOWAS Trade Fair

134. The report presented the background to the ECOWAS Trade Fair from Senegal in 1995 to Ghana in 2013. It was reported that at the conclusion of the

Seventh ECOWAS Trade Fair in Accra Ghana in November 2013, the Republic of Niger was given the hosting rights for the 8th ECOWAS Trade Fair, in 2015. However, due to budgetary constraints, the Council of Ministers, at its Ordinary Session in December 2014 decided to postpone the 2015 Fair to a new date in 2016. In view of the persistent fragile financial situation of the Commission in 2016, the 8th ECOWAS Trade Fair was further postponed to 2017

135. Furthermore, the meeting was informed that the ECOWAS Administration and Finance Committee at its meeting held in Abuja from 14th to 20th November 2016, in considering the Trade Directorate's 2017 Budget deliberated and approved the sum of UA 529,154.00 (UA Five Hundred and twenty Nine Thousand, one hundred and fifty four) for Council's endorsement for the organisation of the 8th ECOWAS Trade Fair in Niamey, Niger, at a date in 2017 to be mutually agreed upon.

136. Council took note of the information.

Item 27: Information by Task Force on ECOWAS Trade Liberalisation Scheme (ETLS)

137. The Commission President recalled that at the 43rd ordinary session of the Authority, held in Abuja, Nigeria from 17 to 18 July 2013, the Heads of State and Government decided to entrust the President of Burkina Faso with the responsibility of monitoring the implementation of ECOWAS texts on the free movement of persons, goods and services.

138. As part of the implementation of the responsibility thus entrusted, the President of Burkina Faso proposed a roadmap to his peers which was adopted during the 44th ECOWAS Summit held in Yamoussoukro, Cote d'Ivoire on 28 and 29 March 2014. The roadmap comprises several new initiatives including the institution of a Task Force responsible for promoting the implementation of the ECOWAS Trade Liberalisation Scheme.

139. After several consultations within the region, the Task Force on the ECOWAS Trade Liberalisation Scheme (ETLS TF) was formally created by Implementing Regulation PC/REG 01/11/15 of 25 November 2015.

140. The Task Force is an ad hoc consultative body placed under the authority of the ECOWAS Commission President. At the behest of the President, the Task Force will work towards arbitration and amicable settlement of disputes among countries regarding implementation of the ETLS. It will also carry out advocacy and mediation to the Governments of Member States on the proper and full implementation of Community texts relating to the ETLS.

141. The Task Force is made up of seven well-known persons of proven commitment to regional integration. Given the enormity of the challenge posed by the free movement of goods for the deepening of our regional integration process, the Task Force is chaired by General Salou Djibo, former Head of State of Niger and Chair of the *Fondation Salou Djibo*.

142. Council took note of the information.

Item 28: Update on ECOWAS Biometric ID Card

143. With the objective of facilitating the mobility of persons and enhancing security architecture in the ECOWAS region, the ECOWAS biometric identity card was adopted by the 46th Ordinary Session of the Authority of Heads of State and Government held in Abuja 2014. The biometric card contains technical specifications in conformity with the international standards of the International Civil Aviation Organisation (ICAO) and displays a level of security that responds to the challenges of free movement and the fight against terrorism.

144. Each Member State is expected to maintain its sovereign right to produce and deploy the ECOWAS biometric identity card in line with the specifications provided by ECOWAS to ensure interoperability at border posts and proper identification of migrants.

The major features are as follows:

- A common visibility and compulsory security features for the 15 ECOWAS Member States, including the format, colour: green / brown / green, ECOWAS logo location on the ID, contactless chip logo, photo and text location, MRZ line, transparent edge, two (2) fingerprints
- Optional security elements are left to each Member State's decision, in particular, language, flag of the issuing country, and memory of the chip.

146. The status of implementation can be summarised as follows:

- All Member States have already carried out a biometric census of their population which constitutes the first element for the deployment of the biometric identity card;
- Some Member States have already deployed a more or less secured national identity card;
- All Member States already have a national fiduciary printing office or a vendor of travel document or various local cards;
- Since the launch of the biometric identity card in December 2015 in Abuja, Senegal is the only country that actually put into circulation the biometric identity card. Mali, Niger and Guinea already have produced the specimen of the card. There is a clear commitment from all

ECOWAS Member States to accelerate the process of putting the biometric identity card in circulation. With regard to terrorist threats and the requirement of traceability of movements of persons, Member States which have not yet done so shall take the necessary measures to put into circulation the biometric identity card.

147. In this regard, the ECOWAS Commission considers that there is a need to find the necessary means to rapidly undertake high-level awareness missions in Member States and encourage Member States that have not yet implemented the ECOWAS biometric identity card to take the necessary actions.

148. Council took note of the information.

Item 29: Any other Business

149. The Republic of Senegal informed Council about the 3S initiatives (Sustainability, Security and Stability in Africa), which are related to the problem of climate change, migration and natural resources degradation in West Africa. The Republic of Senegal invited ECOWAS Member States to join the initiative.

150. The Republic of Benin informed Council about the candidature of one its citizens Barrister Reine Alapini Gansou for the post of judge at the International Criminal Court during the elections that will hold at the UN Headquarters in December 2017.

151. The Republic of Niger informed Council about its candidature for the position on non-permanent member of the UN Security Council for the period of 2020-2021.

Item 30: Adoption of Report

152. This report was adopted after amendments.

Item 31: Closing Ceremony

153. The Chair of Council, Ambassador Marjon V. Kamara, in her closing remarks commended her colleague Ministers for their insightful comments and contributions during deliberations. The Chair expressed gratitude to the Commission for its efficient organisation of the meeting, in particular, the usefulness of ECODOCS as a meeting resource. The Chair provided a short recap of the highlights of the deliberation of the meeting, emphasising their importance for the long-term sustainability of the Community. Thereafter, she declared the Seventy-Seventh Ordinary Session of the ECOWAS Council of Ministers closed.



DONE AT ABUJA, THIS 16TH DAY OF DECEMBER 2016


AMBASSADOR MARJON V. KAMARA

CHAIR
FOR COUNCIL

**COMUNIDADE DOS
ESTADOS DA
AFRICA DO
OESTE**

**ECONOMIC
COMMUNITY
OF WEST AFRICAN
STATES**



**COMMUNAUTE
ECONOMIQUE DES
ETATS DE L'AFRIQUE
DE L'OUEST**

**Seventy – Seventh Ordinary Session of the
ECOWAS Council of Ministers**

Abuja, 15th – 16th December 2016

VOTE OF THANKS

The members of the ECOWAS Council of Ministers meeting in Abuja, from 15th to 16th December 2016, express their profound gratitude to His Excellency President Muhammadu Buhari, President of the Federal Republic of Nigeria and to the Government and people of Nigeria for the warm and brotherly welcome extended them and for the excellent facilities placed at their disposal to ensure the successful conduct of their deliberations.

DONE AT ABUJA, THIS 16TH DAY OF DECEMBER 2016

THE COUNCIL